

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/20/11 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohnishi (US 2002/0197067 A1) in view of Gouzu (US 2003/0112260 A1).

Regarding claim 1, Ohnishi discloses a file access apparatus (see abstract; see fig. 1) for making access to an image file (see "movie04.mpg" in fig. 3; e.g. see fig. 5) in which image data on a plurality of screens (see 101 and 109 in fig. 1; see ¶ [0037]) forming a moving image (see 301 in fig. 3) and index information (e.g. see ¶ [0047]; e.g. "still03.jpg. in fig. 3) used for managing said image data on the plurality of screens are

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contained, under control of a CPU (see 113 and 117 in fig. 1) executing a plurality of tasks in parallel based on a multi-task OS (see fig. 1; e.g. see ¶ [0045]), wherein said index information is automatically renewed at every time that said image data is produced (e.g. see switching from 409 to 403 will renew the index information in fig. 5), and said plurality of tasks include: a first instruction issue task (see S701 in fig. 7A) of issuing a first readout instruction for reading out said index information from said image file (e.g. see reading out thumbnail 490 in fig. 5).

Although Ohnishi discloses a second instruction issue task (see S723 in fig. 7A) of issuing a second readout instruction for reading out the image data from said image file in accordance with said first readout instruction (see S724 in fig. 7B); and an access task (see 113 and 117 in fig. 1; see fig. 7A and 7B) of making access to said image file in accordance with each of the first readout instruction issued by said first instruction issue task and the second readout instruction issued by said second instruction issue task, it is noted that Ohnishi does not disclose the particular of how the image data are read with reference to the index information read out.

However, Gouzu, in the same field of endeavor, discloses an image data retrieval system wherein the image data are read with reference to the index information read out (see fig. 3 in fig. 1).

Given the teachings as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Gouzu teachings of index information of image data into Ohnishi index information of image data for the benefit of addressing image data for proper retrieval.

Regarding claim 2, Ohnishi further discloses wherein said access task includes an access suspension process for suspending the access in accordance with said first readout instruction until after completion of the access in accordance with the issued second readout instruction (e.g. see “yes” in S702 in fig. 7A), and said second instruction issue task includes an issue suspension process (e.g. see “no” in S713 in fig. 7B) for suspending issue of said second readout instruction when the index information to be referred to is not yet read out.

Regarding claims 3 and 16, Ohnishi further discloses wherein said first instruction issue task allows an issue process of said first readout instruction to be started prior to issue of said second readout instruction by said second instruction issue task (see fig. 7A prior to fig. 7B).

Regarding claims 4, 17 and 18, Ohnishi further discloses wherein said first instruction issue task allows issue of said first readout instruction to be started when accepting a selection operation for selecting said image file (see selected 409 in fig. 5), and said second instruction issue task allows issue of said second readout instruction to be started when accepting a start operation (e.g. see 501 in fig. 5) for starting readout of said image data.

Regarding claim 5, Ohnishi further discloses wherein said start operation is carried out after said selection operation (e.g. see 501 is selected in fig. 5).

Regarding claims 6 and 8-11, Ohnishi further discloses wherein said index information is prepared for each screen (see fig. 5).

Regarding claims 7 and 12-15, Ohnishi further discloses comprising a display means (see 107 in fig. 1) for displaying an image based on the image data read out in accordance with said second readout instruction.

Regarding claim 19, the claim recites an apparatus and index information includes size or offset or both performed by the apparatus of claim 1, and is/are similarly analyzed (see Ohnishi Fig. 1 & 3, and Gouzu fig. 3).

Response to Arguments

1. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD TORRENTE whose telephone number is (571)270-3702. The examiner can normally be reached on M-Th: 7:30 - 6:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard Torrente/
Examiner, Art Unit 2485